

# EXHIBIT 4

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

WILLIENE JACKSON-JONES,                         :  
on behalf of themselves and all               :  
other similarly situated                         :

Plaintiff,

- V -

EPOCH EVERLASTING PLAY, LLC,  
a Delaware limited liability  
company and AMAZON.COM SERVICES  
LLC, a Delaware corporation

Defendants.

CASE NO.  
2:23-CV-02567-ODW-SK

REPORTER'S TRANSCRIPT OF PROCEEDINGS:

DEPOSITION OF ALYSSA MASTERSON

WEDNESDAY, NOVEMBER 6TH, 2024, 9:00 AM

-TAKEN VIA REMOTE VIDEOCONFERENCE-

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REPORTED BY: NATALIE WILLS, CSR NO. 14607, CVR

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Transcript of Alyssa Masterson

Conducted on November 6, 2024

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1	Brook?	09:23:08
2	A. I believe since 2020.	09:23:08
3	Q. Ms. Masterson, you're here today and we are	09:23:11
4	here to take your deposition as a designated corporate	09:23:20
5	representative for. For Epoch Everlasting Play LLC. Do	09:23:23
6	you understand that?	09:23:26
7	A. Yes.	09:23:26
8	Q. Okay.	09:23:28
9	And we're going to go over the specific areas of	09:23:29
10	testimony that you've been designated to provide here in a	09:23:32
11	minute. But you understand that the testimony you give	09:23:35
12	today is under oath. Correct?	09:23:37
13	A. Yes.	09:23:38
14	Q. And you understand that that's the same oath	09:23:39
15	you would take if we try this case in California, and	09:23:42
16	that it carries with it the same pains and penalties of	09:23:45
17	perjury as if we were in the courtroom. You understand	09:23:48
18	that?	09:23:50
19	A. Yes.	09:23:50
20	Q. Do you -- you are remotely -- and I think your	09:23:52
21	lawyer's in a room with you. Do you have any electronic	09:23:58
22	devices on you that can send or receive electronic	09:24:00
23	communications?	09:24:04
24	A. On me personally? No.	09:24:04
25	Q. Okay.	09:24:08

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1	And are you on a laptop computer?	09:24:10
2	A. Yes.	09:24:11
3	Q. Does that laptop computer set to where it can	09:24:13
4	receive electronic communications during this	09:24:17
5	deposition?	09:24:20
6	A. It is accessible to the Internet, but I do not	09:24:20
7	have any other applications open.	09:24:25
8	Q. Okay, great.	09:24:26
9	Ms. Masterson, how long have you worked for.	09:24:28
10	Let me. Let's. Let's do this first. I'm going to	09:24:35
11	probably say EEP more than I say Epoch Everlasting Play	09:24:37
12	today. Can we have an agreement that if I say EEP, that	09:24:41
13	we're both understand we're talking about Epoch	09:24:45
14	Everlasting Play LLC?	09:24:47
15	A. Yes.	09:24:48
16	Q. Okay.	09:24:50
17	What is your current job for EEP?	09:24:52
18	A. My current title is Vice President of	09:24:53
19	Marketing and Strategic Product Development.	09:24:57
20	Q. How long have you been the Vice President of	09:24:59
21	Marketing and Strategic Product Development?	09:25:03
22	A. Since 2022.	09:25:05
23	Q. And prior to that time, what was your job?	09:25:07
24	A. I've always been involved in the realm of	09:25:12
25	marketing, but my title has changed over time.	09:25:16

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1	Q.	Okay.	09:25:18
2		Prior to be being named Vice President of	09:25:20
3		Marketing and Strategic Product Development, what was your	09:25:22
4		job?	09:25:26
5	A.	I was the Director of Marketing and Strategic	09:25:26
6		Product Development.	09:25:30
7	Q.	Okay.	09:25:30
8		And was there a Vice President of Marketing and	09:25:32
9		Strategic Product Development when you were the Director?	09:25:35
10	A.	No.	09:25:37
11	Q.	This was a job that was when you were	09:25:38
12		promoted, that job was created or that position was	09:25:43
13		created. Is that correct?	09:25:45
14	A.	Yes.	09:25:46
15	Q.	Okay.	09:25:47
16		When did you start working for the company?	09:25:54
17	A.	In April of 2017.	09:25:56
18	Q.	Right. And I think you told me the -- the	09:25:59
19		promotion to Vice president was in 2020? 2022.	09:26:02
20		I didn't get that. I didn't get that. Go	09:26:12
21		ahead.	09:26:14
22	A.	2022.	09:26:15
23	Q.	Okay, thank you. I think I spoke over top of	09:26:15
24		you and so I apologize.	09:26:18
25		So let's talk about your duties and	09:26:21

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1	Q.	The one -- that man -- the person who's in	09:32:23
2		charge of product safety and compliance for all of your	09:32:26
3		product brands.	09:32:29
4	A.	Sonia Dimitrovsky.	09:32:30
5	Q.	Could you spell that last name?	09:32:32
6	A.	D-I-M-I-T-R-O-V-S-K-Y	09:32:36
7	Q.	How long has Sonia Dimitrovsky worked for EEP?	09:32:44
8	A.	I don't know specifically.	09:32:50
9	Q.	Was Sonia Dimitrovsky working for EEP when you	09:32:53
10		came to work there in 2017?	09:32:57
11	A.	Yes.	09:32:57
12	Q.	Did she have a role in product safety and	09:32:59
13		compliance in 2017 when you came to work for EEP?	09:33:02
14	A.	I don't know.	09:33:04
15	Q.	When you came to work for EEP, were you put in	09:33:07
16		charge of product safety and compliance as a part of	09:33:13
17		your original responsibilities for your original job?	09:33:15
18	A.	No.	09:33:17
19	Q.	When did your job responsibilities at EEP	09:33:18
20		begin to include responsibilities for product safety and	09:33:26
21		compliance?	09:33:31
22	A.	In February of 2020.	09:33:31
23	Q.	In February of 2020, you were put in charge of	09:33:34
24		product safety and compliance at EEP. Is that correct?	09:33:45
25	A.	Yes.	09:33:47

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1 I know that you -- okay. So you took over the role of  
2 compliance in February 2020?

3 A. Yes.

4 Q. Okay.

5 Well, you would agree with me then, as of  
6 January 30, 2019 -- well, let's just go with this.

7 You would agree with me that as of February of  
8 2020, with regard to the Small Parts Regulation and  
9 determining whether EEP was in compliance with CPSC  
10 Regulations, you would agree that you were not familiar  
11 with the small parts rule at that time. Correct?

12 MR. HOFFMAN: Objection to form.

13 A. That is what I testified in my deposition in  
14 2020. Yes.

15  
16 BY MR. WALKER:

17 Q. And when you testified in your deposition, you  
18 testified truthfully. Correct?

19 A. Yes.

20 Q. And you testified that as of July 20, 2020,  
21 you were not familiar with the Small Parts Rule.  
22 Correct?

23 A. Yes.

24 Q. And you testified as of July 1, 2020, that you  
25 did not possess or know how to use a Small Part

11:05:47

11:05:52

11:05:53

11:05:55

11:06:10

11:06:17

11:06:19

11:06:21

11:06:25

11:06:27

11:06:31

11:06:33

11:06:35

11:06:41

11:06:42

11:06:42

11:06:42

11:06:44

11:06:45

11:06:46

11:06:51

11:06:52

11:06:53

11:06:54

11:06:58

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1	Cylinder. Correct?	11:07:00
2	A. Yes.	11:07:01
3	Q. You would agree that as of February 2020, when	11:07:02
4	you took over, you had never used a Small Part Cylinder	11:07:12
5	in your role as a person in charge of CPSC Compliance,	11:07:14
6	Correct?	11:07:17
7	Is that correct?	11:07:17
8	A. Yes.	11:07:25
9	Q. Okay.	11:07:26
10	And you would agree that you had never even used	11:07:28
11	a Small Part Cylinder in your role as CPSC Compliance as	11:07:31
12	of the date that I took your deposition in July of 2020.	11:07:36
13	Correct?	11:07:38
14	A. Yes.	11:07:39
15	Q. And, as of that date in July of 2020, you are	11:07:41
16	not aware that if a product fits inside the Small Part	11:07:50
17	Cylinder, it meets the definition of a Small Part under	11:07:52
18	the CPSC Regulations. Correct?	11:07:54
19	A. Yes.	11:07:56
20	Q. And as of that date, you didn't know if any of	11:07:57
21	the products fit into the Small Part Cylinder. Correct?	11:08:07
22	A. Correct.	11:08:09
23	Q. Okay.	11:08:10
24	And so, your statement with regard to being	11:08:13
25	familiar with Calico Critter products, including products	11:08:16



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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1 contain Flock Figures and as well as the size and whether  
2 they fit into the Small Parts Rule; that would have had to  
3 have changed after July 1st of 2020. Correct?

11:08:20

11:08:24

11:08:27

4 A. Yes.

11:08:29

5 Q. Now, have you ever received any formal  
6 training with regard to CPSC Compliance?

11:08:31

11:08:33

7 A. I did attend a training with Intertek Testing  
8 services within the last two years.

11:08:35

11:08:39

9 Q. Okay.

11:08:44

10 And the Intertek testing services include  
11 training with regard to CPSC Compliance and the Small  
12 Parts Rule?

11:08:46

11:08:49

11:08:52

13 A. Yes.

11:08:53

14 Q. Okay.

11:08:54

15 Because Intertek tests your products for all  
16 kinds of safety issues. Correct?

11:08:56

11:08:58

17 A. Yes.

11:08:59

18 Q. And have you -- have you ever received any  
19 other formal training with regards to the small parts  
20 regulations of the CPSC regulations?

11:09:01

11:09:06

11:09:08

21 A. No.

11:09:10

22 Q. So you make a statement in your declaration  
23 that says, "I have an understanding of which Calico  
24 Critters, figures and accessories clearly do or do not  
25 fit inside the small part cylinder."

11:09:12

11:09:21

11:09:23

11:09:28

1	Is that correct? You see that statement	11:09:29
2	number 3?	11:09:31
3	MR. HOFFMAN: Object to the form.	11:09:32
4	A. Yes, I see that statement.	11:09:35
5	BY MR. WALKER:	11:09:40
6	Q. Okay.	11:09:40
7	I'm going to re ask the question. Do you have	11:09:40
8	your declaration in front of you?	11:09:42
9	A. Yes, I do.	11:09:43
10	Q. Okay.	11:09:45
11	I'm going to start with paragraph number 2.	11:09:47
12	Paragraph 2 says, "I'm generally familiar with the Small	11:09:50
13	Parts Rule." Did I read that correctly?	11:09:53
14	A. Yes.	11:09:54
15	Q. Any familiarity you have with the Small Parts	11:09:55
16	Rule as the person in charge of CPSC Compliance at EEP	11:09:58
17	would have to have taken place after July 1st of 2020.	11:10:03
18	Correct?	11:10:05
19	A. Yes.	11:10:05
20	Q. And you would not have had any knowledge with	11:10:07
21	regard to the Small Parks Rule prior to July of 2020 and	11:10:10
22	certainly not on January 30th of 2019. Correct?	11:10:14
23	A. Yes.	11:10:16
24	MR. HOFFMAN: Object to the form.	11:10:16
25	BY MR. WALKER:	11:10:17

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Transcript of Alyssa Masterson  
Conducted on November 6, 2024

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1	Q.	You can answer.	11:10:19
2	A.	Can you please re ask your question?	11:10:19
3	Q.	Yes. Any familiarity that you had with the	11:10:22
4		Small Parts Rule would had to have come after	11:10:24
5		July 1st of 2020 and certainly was not in place as of	11:10:26
6		January 30th, 2019. Correct?	11:10:31
7		MR. HOFFMAN: Object to the form.	11:10:33
8		BY MR. WALKER:	11:10:34
9	Q.	You can answer.	11:10:35
10	A.	Correct.	11:10:35
11	Q.	Okay.	11:10:39
12		The next statement says, "I possess and have	11:10:40
13		used a cylinder conforming to the dimensions provided in	11:10:42
14		the Small Parts Rule to determine whether a figure or	11:10:46
15		accessory would be considered Small Part under the Rule."	11:10:48
16		Did I read that correctly?	11:10:51
17	A.	Yes.	11:10:52
18	Q.	Okay.	11:10:55
19		Now, any possession or use of a cylinder would	11:10:57
20		had to have been after July 1st of 2020. Correct?	11:11:00
21	A.	Yes.	11:11:02
22	Q.	In fact, I think you told me your deposition	11:11:04
23		the first time you'd seen that cylinder or anybody use	11:11:06
24		it was when I showed it to you in the deposition.	11:11:08
25		Correct?	11:11:10

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Conducted on November 6, 2024

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1	the smallest figurines are either babies or triplets.	11:34:21
2	Correct?	11:34:26
3	A. There are babies, there are twins, and there	11:34:26
4	are triplets.	11:34:31
5	Q. Okay. And that's what I was -- I was	11:34:31
6	referring to. Yeah, babies, twins and triplets.	11:34:34
7	A. Yes. And the triplets are the cradle-sized.	11:34:38
8	Q. Okay. The same size as the cradle babies and	11:34:41
9	they fit into the Small Part Cylinder. Is that right?	11:34:44
10	A. Yes.	11:34:46
11	Q. Does EEP currently market any products with	11:34:47
12	the babies or triplets?	11:34:50
13	A. Yes.	11:34:54
14	Q. And they currently sell products with the	11:34:57
15	babies and triplets?	11:35:01
16	A. Yes.	11:35:02
17	Q. Has EEP done any product changes where they	11:35:04
18	have removed babies or triplets from their product from	11:35:10
19	a product package or product line?	11:35:14
20	A. Not to my knowledge.	11:35:16
21	Q. Okay.	11:35:24
22	(Pause in the record.)	11:35:24
23	I want to draw your attention, Ms. Masterson, to	11:36:01
24	the response to Interrogatory No. 2. And I will find it.	11:36:16
25	(Pause in the record.)	11:37:15

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Transcript of Alyssa Masterson

Conducted on November 6, 2024

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1		12:16:00
2		12:16:00
3		12:16:05
4		12:16:08
5		12:16:09
6		12:16:10
7		12:16:13
8		12:16:15
9		12:16:21
10		12:16:22
11		12:16:22
12		12:16:27
13		12:16:29
14		12:16:29
15		12:16:34
16		12:16:41
17		12:16:44
18		12:16:46
19		12:16:48
20		12:17:14
21		12:17:17
22		12:17:21
23		12:17:24
24		12:17:26
25		12:17:30

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Transcript of Alyssa Masterson

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1		12:17:33
2		12:17:34
3		12:17:41
4		12:17:46
5		12:17:48
6		12:17:50
7		12:17:52
8		12:17:59
9		12:18:01
10		12:18:03
11		12:18:05
12		12:18:07
13		12:18:08
14		12:18:11
15		12:18:12
16		12:18:13
17		12:18:14
18		12:18:26
19		12:18:32
20		12:18:38
21		12:18:41
22		12:18:43
23		12:18:46
24		12:18:47
25		12:18:49

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Transcript of Alyssa Masterson  
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1 UNITED STATES DISTRICT COURT )  
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA)

3  
4  
5 WILLIENE JACKSON-JONES, :  
6 on behalf of themselves and all :  
7 other similarly situated :  
8 Plaintiff, :

-v-

9 EPOCH EVERLASTING PLAY, LLC, :  
10 a Delaware limited liability :  
11 company and AMAZON.COM SERVICES :  
12 LLC, a Delaware corporation :

13 Defendants. :  
14

CASE NO.  
2:23-CV-02567-ODW-SK

15 I, Natalie E. Wills, Certified Shorthand Reporter  
16 14607 and Certified Verbatim Reporter, in and for the  
17 state of California, hereby certify that the foregoing,  
18 pages 1 through 171, comprise a full, true, and  
19 computer-aided transcript of the proceedings held in the  
20 matter of the above-entailed cause.

21 Dated in Redwood City, California, this 14th  
22 day of November 2024.

23 

24 NATALIE WILLS, CSR #14607  
25